



W.P.(MD)No.18948 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 06.08.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.18948 of 2024

L.Sakthi Sai (Minor)
Represented by his Guardian,
Dr.S.Karthik Subramanian ... Petitioner

VS

1.The Principal,
Sri Meenakshi Government College of Arts for Women,
Kalpalam Road, Goripalayam,
Madurai - 625 002.

2.The Pay and Accounts Officer,
Pay and Accounts Office,
TPK Road,
Periyar, Madurai Main,
Madurai District - 625 001.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to disburse the monetary benefits of the Late.Mrs.Lavanya Devi to her minor son Mr.L.Sakthi Sai in his Minor Account No.175701000018661, Indian Overseas Bank, Meenakshi College Branch, Madurai based on petitioner's representation dated 25.07.2024.



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For Petitioner : Mr.S.Sankarapandian

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

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ORDER

The instant writ petition has been filed seeking a mandamus directing the respondents to disburse the monetary benefits of Late Tmt.S.Lavanya Devi to her minor son L.Sakthi Sai in his minor account which is maintained in the Indian Overseas Bank, Meenakshi College Branch, Madurai based upon his representation dated 25.07.2024.

2.The petitioner's sister Tmt.S.Lavanya Devi had passed away on 24.09.2020, due to ill health, leaving behind her minor son namely Sakthi Sai.

3.It could be seen from the records that there is a matrimonial dispute between the said Tmt.S.Lavanya Devi and her husband. The minor son is now being taken care of by the writ petitioner.

4.According to the writ petitioner, the deceased Tmt.S.Lavanya Devi had executed a registered Will on 17.06.2019 appointing him as a guardian



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of her minor son and to take care of the properties. Based upon the said Will, the present writ petition has been filed seeking a mandamus to disburse the monetary benefits.

5.The facts narrated above will indicate that the petitioner is relying upon a Will and he seeks custody of a minor. The father of the minor son has not been impleaded. Any order passed by this Court granting the prayer Will, not only validate the Will, but also hand over the custody of the minor with the writ petitioner behind the back of, the natural guardian namely the father. It is for the writ petitioner to approach the appropriate civil forum to get the remedies which have been sought for in the present writ petition.

6.With the above said liberty, this writ petition stands disposed of.

No costs.

06.08.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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R.VIJAYAKUMAR, J.

RJR

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